

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Establishment – Secretariat – Single Unit – Section Officer – Sri V. Anand Babu, former District BC Welfare Officer, Machilipatnam, Krishna District now retired as Section Officer in AHDD & F Department, A.P. Secretariat – Imposed penalty of withholding of Gratuity and Pension in full – Acquitted in criminal appeal No.1828/2004 – Pension and Gratuity released – Suspension period from 03-03-1997 to 03-10-1999 regularised as 'not on duty' – Treating of said period as Half Pay Leave and Extra Ordinary Leave – Orders – Issued.

GENERAL ADMINISTRATION (SU-I) DEPARTMENT

G.O.Rt.No. 1926

Dated:09.05.2014
Read the following:-

1. G.O.Ms.No .183, G.A.(SU.I) Deptt., Dated:11.04.2005.
2. Judgment of Hon'ble High Court of A.P., Hyderabad in Criminal Appeal No.1828/04, Dated: 29.06.2011.
3. Representation of Sri V. Anand Babu, Section Officer (Retd.), AHDD&F Department, Dated: Nil.
4. G.O.Rt.No.1259, General Administration (SU.I) Department, Dated: 15.03.2013.
5. Representation of Sri V.Anand Babu, Section Officer (Retd.), AHDD & F Department, Dated:10.07.2013.
6. G.O.Ms.No.307, Finance (FR-II) Department, Dated: 03.12.2012.

In the G.O 1st read above, Government have withheld the gratuity and pension of Sri.V.Anand Babu, Section Officer (Retired) in full under Rule 9(1) of A.P.R.P. Rules , 1980 owing to his conviction by the ACB Court, Vijayawada in a trap case.

2. In the Judgement 2nd read above, the Hon'ble High Court of A.P., Hyderabad in its Judgment dt.29.06.2011 in Criminal Appeal No.1828/04 filed by Sri.V.Anand Babu, Section Officer (Retired) have ordered that "the appeal is allowed setting aside the convictions and the sentences passed by the lower Court against accused/ appellant and acquitted him"

3. In the representation 3rd read above, Sri.V.Anand Babu, Section Officer (Retired), while enclosing copy of Judgement of Hon'ble High Court of Andhra Pradesh has requested the Government to treat the suspension period from 03-03-1997 to 03.10.1999 as duty and to pay the consequential monetary benefits including annual increments and also to cancel the orders issued in G.O.Ms.No.183, General Administration(SU.I) Department, Dated:11.4.2005 for claiming his full pension and Gratuity and other pensionary benefits.

4. In the G.O 4th read above, the penalty of withholding gratuity and pension in full against the individual is modified and further action against him was dropped. The suspension period of the individual from 03.03.1997 to 03.10.1999 was regularized as '**not on duty**' under F.R.54-B(5) and (7).

5. In his representation 5th read above, Sri V.Anand Babu, Section Officer (Retired), Animal Husbandry, Dairy Development & Fisheries Department has requested to treat the suspension period which was earlier treated as "**not on duty**", be treated as Half Pay Leave and Extra Ordinary Leave in terms of the orders issued in G.O.Ms.No.307, Finance (FR-II) Department, dated 03.12.2012 and to count the EOL for the purpose of notional increments and pension.

P.T.O.

6. Government after careful examination of the matter, in terms of the orders issued in the G.O. 6th read above, have decided to treat the period of suspension in respect of Sri.V.Anand Babu, Section Officer (Retired) from 03.03.1997 to 03.10.1999, which was treated as "Not on duty" earlier, as 387 days of Half Pay Leave and 558 days of Extra Ordinary Leave and to count the said period for purpose of notional increment and for fixing the pension amount accordingly and to release Gratuity.

7. Accordingly, Government hereby order that the period of suspension in respect of Sri.V.Anand Babu, Section Officer (Retired) from 03.03.1997 to 03.10.1999, which was treated as "Not on duty" earlier, be treated as 387 days of Half Pay Leave and 558 days of Extra Ordinary Leave and to count the said period for purpose of notional increment and for fixing the pension amount accordingly. The withheld Gratuity, vide G.O. 4th read above, be released along with other pensionary benefits.

8. The Animal Husbandry Dairy Development and Fisheries Department shall take necessary further action in the matter accordingly.

9. This order issues with concurrence of the Finance (FR.II) Department vide their U.O.No.24240/675/FR.II/2013, dated.05.10.2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.K.SINHA

Director General, Dr.MCR HRD Institute of A.P. &
Ex-Officio Special Chief Secretary to Government &
Principal Secretary to Government (Ser.& HRM) (FAC)

To
Sri.V.Anand Babu, Section Officer(Retd.),
The Animal Husbandry, Dairy Development & Fisheries (OP) Department.
The Accountant General, Andhra Pradesh, Hyderabad.
The Deputy Pay & Accounts Officer, Secretariat Branch, Hyderabad.

Copy to:
The P.S. to E.O. Special Chief Secretary &
Principal Secretary to Govt.(Ser. & HRM)(FAC)
S.F. / S.Cs.

// FORWARDED :: BY ORDER //

SECTION OFFICER